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P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kupferschmid et al.

Application No.: 10/055,795

Filed: January 22, 2002

For: SURGICAL, TUBULAR-SHAFTED INSTRUMENT

T.A.
7-9-02
#6 Prior Art
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APR 25 2002
TECHNICAL ROOM

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on April 16, 2002

By: *Carol Prentice*
Carol Prentice

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §1.56, Applicants wish to call the attention of the Examiner to the following references:

FOREIGN PATENT DOCUMENT(S):

| <u>Country</u> | <u>No.</u> | <u>Date of Publication</u> |
|----------------|------------|----------------------------|
| Germany | 298 03 734 | Apr. 23, 1998 |

The reference listed above was cited by the International Examiner in the Search Report (copy enclosed) of Applicants' counterpart international patent application no. PCT/EP00/06125 (MPEP §2001.06(a)) and by the German Examiner in the counterpart German patent application.

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TC 3700 MAIL ROOM

OTHER U.S. PATENT(S) :

| <u>Patent No.</u> | <u>Patentee</u> | <u>Date of Issue</u> |
|-------------------|-----------------|----------------------|
| 5,569,256 | Vaughn et al. | Oct. 29, 1996 |
| 5,741,263 | Umber et al. | Apr. 21, 1998 |

OTHER FOREIGN PATENT DOCUMENT(S) :

| <u>Country</u> | <u>No.</u> | <u>Date of Publication</u> |
|----------------|------------|----------------------------|
| Germany | 41 03 663 | Aug. 20, 1992 |

The references listed above were cited by the German Examiner in Applicants' counterpart German patent application 199 35 042.6 (MPEP §2001.06(a)).

In addition, Applicant would like to bring German patent DE 198 09 120 to the Examiner's attention, as it is referenced in the present application. Applicant does not submit that the aforementioned German patent comprises prior art, as it was published after Applicant's priority date.

DE 198 09 120 and DE 298 03 734 correspond to International patent WO 99/44517. An English language abstract for WO 99/44517 is enclosed.

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Application No.: 10/055,795
Page 3

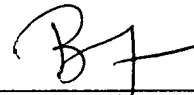
An English language abstract is attached to the enclosed copy of DE 41 03 663.

Copies of the above-listed references are enclosed, together with a completed form PTO-1449.

This Information Disclosure Statement is being filed within three months of the filing date of the subject patent application, and therefore no fee is due.

Consideration of these references by the Examiner is respectfully requested.

Respectfully submitted,

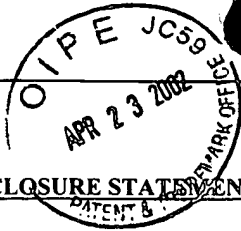


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Date: April 16, 2002
ATTORNEY DOCKET NO.: HOE-673

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FORM PTO-1449

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

ATTY. DOCKET NO.: HOE-673

SERIAL NO.:
10/055,795

APPLICANT(S): Kupferschmid et al.

FILING DATE: January 22, 2002

GROUP:

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | FILING DATE |
|---------------------|----|--------------------|---------------|---------------|-------|-------------------|----------------|
| | AA | 5,569,256 | Oct. 29, 1996 | Vaughn et al. | | | |
| | AB | 5,741,263 | Apr. 21, 1998 | Umber et al. | | TC 3700 MAIL ROOM | |
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FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB- CLASS | TRANS- LATION YES NO |
|--|----|--------------------|---------------|---------|-------|---------------|----------------------------|
| | AC | 298 03 734 | Apr. 23, 1998 | Germany | | | |
| | AD | 41 03 663 | Aug. 20, 1992 | Germany | | | |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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